

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:02-00021

VENNEL ORLANDO BLAKE, JR.

SUPERVISED RELEASE MODIFICATION ORDER  
MEMORANDUM OPINION AND ORDER

On September 5, 2006, the United States of America appeared by Stephanie L. Haines, Assistant United States Attorney, and the defendant, Vennel Orlando Blake, Jr., appeared in person and by his counsel, Shannon M. Bland, for a hearing on the petition on supervised release submitted by Senior United States Probation Officer Keith E. Zutaut, the defendant having commenced a three-year term of supervised release in this action on February 24, 2006, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on June 21, 2002.

The court heard the admissions of the defendant and the representations and argument of counsel.

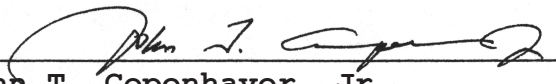
For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respect: that the defendant, from February 24, 2006, through August 21, 2006, failed to make any payment on the \$10,000 fine imposed by the court at the time of his sentencing on June 10, 2002, as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release; and that such failure was the result of the defendant's not making a reasonable, good faith effort to make any payment on the fine during that period.

The court finds, however, inasmuch as the defendant, after the petition was filed in this case, made a \$4,000 payment on the fine on August 22, 2006, that the defendant's term of supervised release ought not be revoked. Instead, it is hereby ORDERED that the defendant shall continue on the same term of supervised release with the same terms and conditions as heretofore except for the modification that the defendant shall, until the further order of the court, make a minimum payment on the fine of \$65 per month commencing on October 1, 2006, with payment due on the first day of each month thereafter until paid

in full. This sum of \$65 may be increased or decreased by the court upon considering the findings and recommendations of, and a revised schedule of payments developed by, the probation officer in keeping with the income of the defendant as such income exceeds or falls below, as the case may be, the reasonably necessary fixed living expenses of the defendant and any dependents after taking into account the reduction of such reasonably necessary fixed living expenses by income of the defendant's dependents. In addition, should the defendant acquire assets which may reasonably be applied to the fine indebtedness, such assets are to be so applied to the fine indebtedness in addition to the monthly payments hereunder.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 8, 2006

  
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John T. Copenhaver, Jr.  
United States District Judge